REMARKS/ARGUMENTS

These remarks are offered in response to the Office Action of June 12, 2006 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Office is expressly authorized to charge any deficiencies, or credit any overpayments to Deposit Account 50-0951.

Claims 1-6, 8-14, 16-17 and 21-37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,549,612 to Gifford, *et al.* (Gifford), in view of U.S. Patent No. 6,857,008 to Shenefiel (Shenfiel). Claims 7, 15, 18-20 and 38-40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gifford, in view of Shenefiel and further in view of U.S. Patent No. 5,937,162 to Funk, *et al.* (Funk). Claims 41-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,680,551 to Martino, II (Martino) in view of Gifford. Claim 44 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gifford, in view of Shenefiel and Martino, and further in view of Funk. Claims 1, 5, 10, 13, 21, and 31 were objected to because of informalities found by the Examiner.

Applicants have amended independent Claims 1, 10, 21, 30, 41, and 44 to further emphasize certain aspects of Applicants' invention. Dependent Claims 4, 5, 11, 13, 19, 20, 24, 25, 32, 33, 39, and 40 have been amended to maintain consistency among the claims. Claims 1, 5, 10, 13, 21, and have also been amended to address formality issues raised in the Office Action. The claim amendments also address the claim objections stated at page 2 of the Office Action.

As discussed herein, the amendments are supported throughout the Specification. (See, e.g., Specification, p. 11, lines 3-19.) No new matter has been introduced by virtue of the amendments.

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Applicants' Invention

It may be useful at this juncture to reiterate certain aspects of Applicants' invention. One embodiment of the invention, typified by amended independent Claim 1, is an e-mail communication method. The method claimed includes inserting a voice communications identifier in an e-mail message sent from a sender at a sending node to a recipient at a receiving node. The method further includes embedding within the voice communications identifier an executable voice communications link program. (See Specification, p. 11, lines 10-15.) This program is adapted to be self-contained and to fully execute within the receiving node, in order to establish a voice communications link between the sending node and the receiving node. This program is further comprised of a binary representation of compiled object code, which can be independently executed without intermediate script interpretation or reference to programs on other systems. The method also can include transmitting the e-mail message to the recipient, and responsive to the recipient selecting the voice communications identifier, establishing a voice communications link between the sender and the recipient.

In order to expedite examination of this application as stated previously, independent claims 1, 10, 21, 30, 41, and 44 have been amended to emphasize the aspect of the invention regarding the properties of the embedded program code. As such this limitation is now included by reference in all pending claims.

Claims Objected to in the Office Action

Claims 1, 5, 10, 13, 21, and 31 were objected to in the Office Action because of informalities. Applicants have amended the claims per the suggestion in the Office Action. Therefore, Applicants respectfully request withdrawal of the objection to these claims.

{WP332338;1}

The Claims Define Over The Prior Art

As already noted, independent Claims 1, 10, 21, and 30 were rejected as being unpatentable over Gifford in view of Shenefiel. Furthermore, independent claim 41 was rejected as being unpatentable over Martino in view of Gifford. Finally independent claim 44 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gifford, in view of Shenefiel and Martino, and further in view of Funk. Applicants submit that the independent claims, as amended, are currently in form for allowance.

Gifford is relied upon in the rejections stated in the Office Action as disclosing the step of embedding a voice communications link program component as claimed in the present invention. Gifford is directed to a system and method for providing a unified communications (UC) service to a service subscriber. Gifford, more particularly, enables a subscriber to communicate in various modes via e-mail messages with a UC server, taking advantage of the capability of advanced scripting languages, such as Java, HTML, XML, and WML to execute commands and requests. (See, e.g., Col. 2 lines 29-47; see also Col. 6, line 40 through Col. 7, line 27.) This provides the user with a link or interface to programs and files located on remote servers, and is intended to reduce the amount of information contained within the email.

The Office Action states in paragraph 4 that Gifford discloses the embedding step of claims 1, 10, 21, 30, 41, and 43:

> "embedding within said voice communications link program component (col. 6 lines 30-33 and col. 7 lines 28-30), said program component configured to execute within said receiving node (figure 2, use interface means or subscriber means)(col. 6 lines 35-37 and col. 8 lines 65-67) to establish a voice communication link between said sending node and said receiving node (col. 9 lines 2-7);"

Applicants submit that Gifford fails to teach embedding an executable program within an e-mail in accordance with the present invention. Gifford teaches instead the use of a communications interface and/or links embedded within the e-mail. This

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interface can be implemented using a Java applet or a dynamically generated HTML/XML/WML page. (See col. 4, ln. 55-59 and col. 5, ln. 1-12). However, Gifford fails to teach embedding executable binary code into the e-mail, wherein the code is capable of linking the sending node to the receiving node, as disclosed in the present invention. Instead, Gifford exclusively relies on executable code being stored elsewhere, and referenced by a script or link embedded in the e-mail. This aspect is central to Gifford's teachings, since an object of Gifford's teachings is to minimize the size of the attachments to the e-mail and decrease demand on local resources by using a "lightweight" interface. (See col. 2, ln. 48-52) Therefore, Applicants submit that Gifford neither teaches the step of embedding executable binary code into the email nor provides the motivation to do so.

Accordingly, Gifford, in combination with one or more of Martino, Shenefiel, or Funk, fails to teach or suggest every feature recited in independent Claims, 1, 10, 21, 30, 41, and 44, as amended. Applicants respectfully assert, therefore, that each of independent Claims, 1, 10, 21, 30, 41, and 44, as amended, defines over the prior art. Applicants further respectfully assert that whereas each of the remaining dependent claims depends from one of the amended independent claims while reciting additional features, the remaining dependent claims likewise define over the prior art.

{WP332338;1}

CONCLUSION

Applicants believe that this application is now in full condition for allowance. Allowance is therefore respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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